

United States District Court
Eastern District of Wisconsin

UNITED STATES OF AMERICA

V.

JERRY CLAYTON

**ORDER GRANTING MOTION FOR SENTENCE
REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Case Number: 01-CR-147

Marshal Number: 06313-089

DATE OF PREVIOUS JUDGMENT:

February 21, 2002

Laurence M. Moon

Defendant's Attorney

Daniel H. Sanders

Assistant United States Attorney

Upon motion of the ☒ the defendant ☐ The Director of the Bureau of Prisons ☐ the Court under 18 U.S.C. § 3582(c)(2), for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months is **reduced to** 121 months.

I. Court Determination of Advisory Guideline Range

Previous Offense Level: 33

Criminal History Category: II

Previous Guideline Range: 151-188 months

Amended Offense Level: 31

Criminal History Category: II

Amended Guideline Range: 121-151 months

II. Sentence Relative to Amended Advisory Guideline Range

☒ The reduced sentence is within the amended advisory guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentence as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. Additional Comments

Upon consideration of the factors set forth in 18 U.S.C. § 3553(a) and U.S.S.G. § 1B1.10 cmt. n.1(B), the court finds a sentence at the low end of the amended guideline range sufficient but not greater than necessary.

To insure that the defendant is in fact timely released as ordered, the Bureau of Prisons is directed to immediately take all appropriate steps to complete the processing of the defendant's release plan.

Except as otherwise provided herein, all provisions of the last amended judgment dated February 21, 2002, shall remain intact, and the same are incorporated herein by reference as though set forth herein at length.

Dated at Milwaukee, Wisconsin this 24th day of April, 2008.

BY THE COURT:

/s Lynn Adelman

Hon. Lynn Adelman